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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Yu Xu
Serial No.: 10/680,002
Title: OPTICAL NOTCH FILTER APPARATUS AND METHOD THEREFOR
Filed: October 7, 2003
Examiner: Ricky D. Shafer
Art Unit: 2872
Confirmation No.: 4555
Customer No.: 27,623

Attorney Docket No.: 30011470 US-02

**Mail Stop Amendment
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450**

Dear Sir:

AMENDMENT TRANSMITTAL

We are enclosing a Response to Election Restriction in response to a communication dated April 5, 2005 in the above-identified application.

Petition for extension of time pursuant to 37 C.F.R. §§ 1.136 and 1.137 is hereby made if, and to the extent, required. The fee for this extension of time is calculated to be \$0.00 to extend the time for filing this response until _____.

The fee for any change in number of claims has been calculated as shown below.


| CLAIMS AS AMENDED | | | | | | |
|---------------------------------|----------------------------------|-------|--------------------------------|-----------------|------------|--------|
| | Claims Remaining After Amendment | | Highest Number Previously Paid | Present Extra | Rate | |
| Total Claims | 19 | Minus | 20 | 0 | x \$50.00 | \$0.00 |
| Independent Claims | 2 | Minus | 3 | 0 | x \$200.00 | \$0.00 |
| MULTIPLE DEPENDENT CLAIM FEE | | | | x \$360.00 = \$ | | |
| TOTAL FEE FOR CLAIM CHANGES | | | | \$0.00 | | |
| 1/2 FILING FEE FOR SMALL ENTITY | | | | \$N/A | | |

The total fee for this amendment, including claim changes and any extension of time is calculated to be \$ 0.00 .

 A check in the amount of \$ 0.00 is attached.

X The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to **Deposit Account No. 01-0467**. A duplicate copy of this Form is enclosed.

May 5, 2005
Date



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CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON May 4, 2005.

| | | |
|--------------------|----------------------|--------------------|
| <u>Alan Cooper</u> | <u>Alan R Cooper</u> | <u>May 5, 2005</u> |
| NAME | SIGNATURE | DATE |



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AMENDMENT AND ELECTION OF SPECIES

**Mail Stop: Amendment
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450**

Dear Sir:

Applicant submits the present document in response to an Office Action dated April 5, 2005 (hereinafter "the Office Action"). Please amend the application as follows:

Amendments to the Claims begin on page 2 of this paper.

Amendments to the Summary begin on page 6 of this paper.

Remarks begin on page 7 of this paper.